

UPDATE SHEET

PLANNING COMMITTEE – 21 January 2026

**To be read in conjunction with the
Head of Planning and Infrastructure's Report**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

A1 23/00883/FULM **Erection of 35 B8 units together with associated access, parking and servicing areas**
 Land North of Hilltop Farm, Hill Top, Castle Donington

Additional Consultee Responses

North West Leicestershire District Council Environmental Protection suggests that hours of construction be limited to:
 0800 to 1800 Mondays to Fridays
 0800 to 1300 Saturdays

Additional Representations

One additional representation has been received, objecting on the following grounds:

Subject	Reason for Objection
Principle of Development	Locality is drowning in industrial and domestic building projects with scant regard given to their impacts
	Planners and applicants indifferent to adverse effects of development
	Council only interested in increased Business Rates and Council Tax receipts
	Site outside Limits to Development in the Local Plan
	No need for employment land
	Proposals contrary to Local Plan Policy S3
Access Issues	Misspelling in submitted Transport Assessment
	Hill Top is already extremely busy
	Road system already frequently overloaded
	All traffic accessing the site to / from the north will route via Hill Top / High Street
	Large number of single occupant cars / vans likely to use the site given that the units would be occupied by small businesses
	Few employees will come from Castle Donington given existing low unemployment in the area
Amenity Issues	Noise
	Lighting impacts

Flood Risk	Surface water run-off and drainage strategies inadequate and based on out of date data
	Can't assume that will be able to discharge to Severn Trent Water system
Other	Other developments are proposed adjacent to the site, to the western and northern sides of Castle Donington, at the proposed Freeport, at East Midlands Airport, in Kegworth, and at Isley Walton
	Impacts on air quality

Issues Arising from the Planning Committee Technical Briefing

Occupier Interest

The “types” of the 26 businesses from which interest has been received which forms the evidence for the immediate demand referred to in the main report include the following:

- Online shops (storage of stock etc.)
- Sport and leisure / fitness
- Fire safety products
- Plant / machinery maintenance
- Furniture
- Bookkeeping / accountancy (file / office furniture storage)
- Carpets / underlay (storage)
- IT equipment suppliers
- Vehicle repair tool storage
- Building equipment storage
- Tree surgery and fencing
- Electrical contractors
- Vehicle storage
- Hotel furniture / garden equipment storage
- Car rental / detailing
- Boat heating systems / stoves
- Tea / coffee importers
- Welding and fabrication
- Landscape gardeners
- Cosmetics
- Plumbers / gas fitters
- Hot tubs
- Craft workshop providers
- Market stall suppliers
- Showroom furniture providers
- Cake bakers
- Tile suppliers

Air Quality

The District Council's 2024 Air Quality Annual Status Report confirms that all monitoring locations within the Castle Donington AQMA recorded nitrogen oxide (NO₂) concentrations below the air quality standard (i.e. all complied with the maximum NO₂ concentration of 40µg.m⁻³), and have been doing so since 2020.

Weight Limit Signage

Further to the query regarding the need for advance warning signage of the proposed relocated “start” of the weight limit area, the County Highway Authority advises that advanced signage would be installed at the roundabout at the southern end of the relief road so as to give HGVs not associated with the site an opportunity to turn at the roundabout (and as per the example image below).



Site Access Location

In response to members’ queries regarding whether consideration has been given by the applicant to accessing the application site from the land to the west (land proposed to be allocated for employment development within the replacement Local Plan within the Regulation 18 consultation, and which would be accessed via the recently completed employment site at the Studbrook business park), the applicant’s agent advises that the adjacent land isn’t within the applicant’s control, and that the applicant has no right of access over it. The agent also notes that the applicant is keen to bring the site forward to meet the demand identified (and is being chased by potential occupiers); having to wait for the adjacent site / access to come forward would, the agent notes, delay the provision of the proposed development on the application site.

For its part, the County Highway Authority comments that it would be unlikely to raise objection in principle to the site being accessed via the land to the west of the application site if such an application was made, subject to it being demonstrated that the existing junction with the relief road would have sufficient capacity for the additional traffic generated.

Trade Counters and Merging/Subdivision of Units

Further to queries raised in respect of the potential for the proposed units to operate trade counters (i.e. to such an extent as to not represent a material change of use), an additional condition is recommended below. In terms of queries raised regarding the potential for any future merging or subdivision to have additional transportation impacts (e.g. in terms of increased likelihood of HGVs being used to serve larger units if merged, or, conversely, more smaller vehicles accessing an increased number of smaller units if units were subdivided), conditions to prevent such changes are also recommended. Prevention of merging of units would also ensure that the floorspace of the units would remain at a scale that would relate to the smaller types of units for which a demand has been demonstrated.

Other

It is noted that the list relevant National Planning Policy Framework policies in Section 4 of the main report should also include reference Paragraph 199 (Conserving and enhancing the natural environment).

There are three sites allocated in the adopted Local Plan for employment use that are not referred to in the Committee Report; one site at the rear of the Charnwood Arms at Bardon identified under Policy Ec1, and two sites at Money Hill, Ashby de la Zouch identified under Policy Ec2.

The site at the Charnwood Arms is allocated for B1 use (now part of Class E1).

At Money Hill, the permissions granted at outline and reserved matters stage for Phase 1 do not include any employment buildings. The current outline application for Phase 2 includes land for up to 14.1ha of gross employment use (Use Classes B2/B8) and includes one of the sites identified under Policy Ec2. The current application is in outline with all matters reserved apart from part access, and so the precise amount of B2 and B8 floorspace will not be determined at this stage and will form part of reserved matters applications should the outline application be approved. An indicative layout shows seven units ranging in size from around 4,000 sqm up to just over 10,000 sqm, which are significantly larger than the units proposed at the application site. The application is still under consideration by officers and a recommendation has not been formulated.

The other site at Money Hill is not within the current outline application for Phase 2. Therefore both of the Money Hill sites are not sufficiently advanced through the planning process to meet the immediate demand.

Therefore it is considered that the application proposal cannot reasonably be accommodated on any these sites and the immediate demand cannot be met from these sites. Therefore the evidence demonstrates the immediacy, location and scale of demand as required by Policy Ec2(2) for an immediate demand for employment land in North West Leicestershire which cannot be met on sites allocated in the Local Plan.

RECOMMENDATION: PERMIT, subject to the conditions set out in the main report (as amended below) and the securing of a Section 106 Agreement to deliver the matters set out in the main report:

Conditions

- 18 Hours of construction work (0800 to 1800 Mondays to Fridays and 0800 to 1300 Saturdays)
- 31 No trade counters
- 32 No subdivision or merging of units

67 Loughborough Road, Coleorton, Coalville, Leicestershire, LE67 8HJ

Additional Information

1) Update on self-build and custom build permissions and the shortfall of plots

Since publication of the committee report and as of 21 January a further three custom or self-build plots have been granted planning permission or permission in principle. This reduces the ongoing shortfall from 39 plots as set out in the published committee report to 36 plots. 224 people remain on the custom and self-build register. An updated table is set out below.

A	B	C	D	E	F
Base Period	Registrations in base period	Plots required to meet demand by end of base period	Permissions granted in base period (dwellings)	Cumulative permissions at end of base period (dwellings)	Oversupply (+) or shortfall (-) (E minus C)
1 April 2016 to 30 October 2016	6	0	1	1	+1
31 October 2016 to 30th October 2017	10	0	1	2	+2
31 October 2017 to 30 October 2018	8	0	2	4	+4
31 October 2018 to 30 October 2019	14	6	30	34	+28
31 October 2019 to 30 October 2020	20	16	0	34	+18
31 October 2020 to 30 October 2021	14	24	0	34	+10
31 October 2021 to 30 October 2022	20	38	0	34	-4
31 October 2022 to 30 October 2023	34	58	3	37	-21

31 October 2023 to 30 October 2024	37	72	17	54	-18
31 October 2024 to 30 October 2025	33	92	32	86	-6
31 October 2025 to 30 October 2026	TBC	146*	24**	110**	-36**

* 126 is the total number of registrations between 1 April 2016 and 30 October 2023. 146 includes an additional 20 registrations which were previously removed from register which have now been added back in

** As of 21 January 2026

The shortfall of custom and self-build plots remains significant and it is considered that the further reduction of three plots to the overall shortfall does not change the positive weighting afforded to the provision of self-builds or the overall planning balance as set out in the report.

Committee Technical Briefing

At the Committee Technical Briefing, questions / queries were raised by Members based on the contents of the Committee Report. Such questions / queries, as well as the responses provided by the applicant and statutory consultee (where applicable), are as follows:

2) An update on the provision of public transport/bus services within the vicinity of the site

The main bus service along Loughborough Road in Coleorton is operated by Arriva Midlands, primarily using the routes 29/29A/29S/X29, connecting to Leicester and Swadlincote, running Monday to Saturday with departures roughly every few hours between 5:30am and 11pm. The nearest bus stops from the site are located at St Georges Hill (320m) and Loughborough Road (adjacent to Mill Lane) (370m). There is also a bus service running through Peggs Green that connects Ashby de la Zouch with Shepshed and Loughborough running Monday to Saturday, with departures roughly every two/three hours between 7.23am and 6.26pm. The nearest bus stop from the site is on Clay Lane/Zion Hill (405m).

There have been no reported changes to the bus services since the published date of the committee report. The updated timetables were last published on 3 January 2026 and are valid until April 17 2026.

3) Weight to be given to the self-build policy in the draft Local Plan

During the technical briefing councillors raised the question of weight to be afforded to the draft Local Plan Policy H7 which relates to self-build development.

The policy as drafted supports self-build dwellings where they are within limits to development, and sets out that where they are proposed in the countryside, they would have to meet five criteria, relating to:

- i) there being clear evidence of demand for self and custom build plots, and
- ii) adjoining the Limits to Development, and

- iii) being reflective of its location and setting and of a scale and character that is proportionate to the settlement, and
- iv) being within a reasonable walking distance of a good bus service route, and
- v) being within a reasonable walking/cycling distance of a range of local services and facilities.

In this instance, the site would be located in the countryside. Officers are of the view that criterion i), iii), iv) and v) would be met. However, under the draft new Local Plan, the site would not adjoin the Limits to Development.

For the purposes of decision making, when considering the weight afforded to emerging plans, Paragraph 49 of the NPPF states that:

"Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*

At this time, the weight afforded to the draft Local Plan as a whole is very limited given it has only been subject to Regulation 18 consultation, is likely to be subject to further change, is subject to unresolved objections and the evidence that underpins the Local Plan has not yet been tested at examination.

In respect of draft Policy H7, the Planning Policy team has advised that it is the draft policy that has received the highest level of objections at Regulation 18 stage of the new Local Plan, and their advice is that as draft Policy H7 has a significant number of adverse comments, only limited weight can be attached to the draft policy.

The draft policy is not considered to carry sufficient weight at the current time to be determinative in consideration and determination of this application and would not change the overall planning balance as set out in the report.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION

Land Rear Of 71 Main Street
Osgathorpe

Further Representations

Osgathorpe Parish Council

Osgathorpe Parish Council has submitted the following representation:

Regrettably a Parish Council representative is unable to attend the Planning Committee meeting scheduled for the 21st January 2026. The Parish Council maintains its objection to this application for the reasons set out in its consultation response dated 1st August 2025. In the circumstances the Parish Council requests that the following is read out to the Committee members prior to it determining the application.

Dear Councillors, Osgathorpe Parish Council wishes to draw the following points relating to this application to your attention as they are relevant to the application being considered.

The Parish Council responded to the consultation process on the 1st August 2025 and objects to the application for the following reasons:

- 1. The application site is outside the limits to development shown on the Planning Authority's adopted Local Plan, and*
- 2. Development would increase the surface water flood risk to properties on Meadow Lane and the Storey Arms public house.*

Flood Risk to off-site Properties

The application site is appreciably higher than Meadow Lane. The Planning Officer's report and recommendation for approval relies upon the fact that the application site is not prone to flooding. This point is not at issue. However, during periods of heavy rainfall surface water from the site flows down-hill, and contributes to flooding, which frequently occurs at the Meadow Lane/Main Street junction. The Parish Council has significant local knowledge of flood risks in the village. This knowledge is more extensive than information held by both the Environment Agency and the Lead Local Flood Authority. Policy Cc2 of the Local Plan (2021) seeks to minimise the risk and impact of flooding, including by ensuring that development does not increase the risk of flooding elsewhere. The proposed development would be contrary to Policy Cc2 of the adopted Local Plan and the NPPF.

Highways

The Parish Council's attention has been drawn to the fact that the application site does not have a right of vehicular access to the highway network. Committee members will

recall that the Mr Marshall's report in respect of application ref: 25/01523/PIP contained the following statement " in order to grant permission in principle, the Local Planning Authority must be satisfied that safe and suitable access can be achieved at this location".

Ms Wood's report to Committee states that the CHA and the Local Planning Authority have assumed that any future vehicular and pedestrian access to the site proposed under a TDC application would be via the existing private drive to the south east of the application site which accommodates Public Footpath N6/2. This recognises that the Local Planning Authority does not have sufficient evidence to be satisfied that safe and suitable access can be achieved. For this reason the application is contrary to adopted planning policy.

The Parish Council requests that for these reasons the application be refused or alternatively a decision be deferred until the applicant has adequately addressed these issues.

The Parish Council thanks Committee members for their time in receiving its concerns regarding the proposed development.

Officer Comment

In respect of flood risk, the Environment Agency's Flood Map for Planning shows that some land at and in the vicinity of the junction of the lane with Meadow Lane and Main Street at risk of low, medium and high risk of surface water flooding, in particular around the Storey Arms and Nos. 43 Main Street and 1 Meadow Lane and on some parts of the road. There are also some areas at very low risk of surface water flooding.

The Lead Local Flood Authority (LLFA) was asked about surface water flowing off the site and contributing to stones/gravel/silt being washed into the highway drains and a nearby culvert, causing flooding at the junction and at nearby properties. The committee report sets out at page 87 that the LLFA has not raised any concerns or objections regarding flooding matters, and that the LLFA is not aware of any enquiries or previous issues reported with this location.

In respect of highway safety, pages 88-89 of the committee report sets out that the exclusion of the lane from the red line boundary does not affect the Council's ability to consider the adequacy of the access onto the lane, the lane itself and the lane's junction with the public highway. It is considered to be a reasonable assumption of both the County Highway Authority (CHA) and the Local Planning Authority that access would be via the lane, as the red line boundary of the site adjoins this lane and does not adjoin any other public highway or private drives that could provide access to the site.

As set out at page 89 of the committee report, the CHA has not raised any in-principle highway or pedestrian safety concerns or objections to the use of the private drive (the lane), the use of its junction onto Main Street to accommodate the additional vehicular trips associated with the occupation of an additional dwelling, nor the use of the drive to accommodate temporary construction traffic. It is considered there is no evidence to suggest that a safe and suitable access from the public highway could not be achievable given the CHA has not raised any concerns or objections.

Additional Information

1) *Update on self-build and custom build permissions and the shortfall of plots*

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Committee Technical Briefing

2) An update on the provision of public transport/bus services within the vicinity of the site

During the Committee Technical Briefing members sought clarification over the bus services available to the site following recent service updates.

Officers have reviewed the present timetable for the bus service LC16 which maintains a route through the village. This service connects Ashby de la Zouch, Shepshed and Loughborough, with departures roughly every two/three hours between 7.28am and 6.18pm.

There have been no reported changes to the bus service since the published date of the committee report. The updated timetable was last published on 3 January 2026 and is valid until April 17 2026.

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The policy as drafted supports self-build dwellings where they are within limits to development, and sets out that where they are proposed in the countryside, they would have to meet five criteria, relating to:

- vi) there being clear evidence of demand for self and custom build plots, and
- vii) adjoining the Limits to Development, and
- viii) being reflective of its location and setting and of a scale and character that is proportionate to the settlement, and
- ix) being within a reasonable walking distance of a good bus service route, and
- x) being within a reasonable walking/cycling distance of a range of local services and facilities.

In this instance, the site would be located in the countryside. Officers are of the view that criterion i), iii), iv) and v) would be met. However under the draft new Local Plan, Osgathorpe does not have any Limits to Development and is wholly within the countryside, and so the site would not adjoin the limits to development.

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RECOMMENDATION – NO CHANGE TO RECOMMENDATION

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